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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/724,774
		Filing Date	December 2, 2003
		First Named Inventor	Warren FINLAY, et al.
		Group Art Unit	3754
		Examiner Name	Not Yet Assigned
Total Number of Pages in This Submission		Attorney Docket Number	745969-129

ENCLOSURES (*check all that apply*)

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| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Assignment Papers
<i>(for an Application)</i> | <input type="checkbox"/> After Allowance Communication to Group |
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| <input type="checkbox"/> Response to Missing Parts/ Incomplete Application | <input type="checkbox"/> CD, Number of CD(s) _____ | |
| <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | | |

Remarks

The Commissioner is hereby authorized to charge any additional fees required or credit any overpayments to Deposit Account No. 19-2380 for the above identified docket number.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Marc S. Kaufman Registration No. 35, 212 Nixon Peabody LLP 401 9 th Street, N.W., Suite 900 Washington, D.C. 20004-2128
Signature	
Date	June 3, 2004

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

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PATENT
ATTORNEY DOCKET NO.: 745969-129

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Warren FINLAY, et al.

)

Application No. 10/724,774

) Examiner: Unknown

Filed: December 2, 2003

) Group Art Unit: 3754

For: **DEVICE AND METHOD FOR
DEAGGLOMERATION OF POWDER
FOR INHALATION**

) Confirmation No.: 9435

)

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INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Sir:

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents listed on the attached PTO-1449. This Information Disclosure Statement is being filed before the mailing date of the first Office Action on the merits for the above-referenced application. The listed documents were cited in a communication from the International Search Authority. The Search Report was mailed on February 4, 2004. Copies of the listed documents are attached.

It is requested that the accompanying PTO-1449 be considered and made of record in the above-identified application. To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

The Commissioner is hereby authorized to charge any fees connected with this filing which may be required now, or credit any overpayment to Deposit Account No. 19-2380. (745969-129).

Respectfully submitted,
NIXON PEABODY, LLP

By: 
Marc S. Kaufman
Registration No. 35,212

Date: June 3, 2004

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JUN 03 2004

<p style="text-align: right;">REMARKS</p> <p>Institute for form 1449A/PTO</p> <p>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</p> <p><i>(use as many sheets as necessary)</i></p>				<i>Complete if Known</i>	
Sheet	1	of	1	Application Number	10/724,774
				Filing Date	December 2, 2003
				First Named Inventor	Warren FINLAY, et al.
				Art Unit	3754
				Examiner Name	Not Yet Assigned
				Attorney Docket Number	745969-129

OTHER PRIOR ART – NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²

Examiner Signature		Date Considered	
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***EXAMINER:** Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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